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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/883,729

06/18/2001

Oliver Rottcher

01-376

2466

7590

07/27/2004

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EXAMINER

CRUZ, MAGDA

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/883,729	Applicant(s) ROTTCHER, OLIVER	
	Examiner Magda Cruz	Art Unit 2851	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.  
2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,3-5,9-13,19 and 20 is/are rejected.  
7) ☒ Claim(s) 6-8 and 14-18 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 09 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/19/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Applicant is advised that should claim 7 be found allowable, claim 8 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-5, 9-13 and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pastore.

Pastore (US Patent Number 4,588,267) discloses a mirror with a non-reflective portion (14) provided within its reflective surface (36) as an information provider (12), wherein a portion of the mirror surface is transparent for seeing therethrough (column 2, lines 28-31) and is backed by a display (14), wherein the display (14) is provided with a colored image representation (column 3, lines 1-5). The mirror surface (28) is part of a

Art Unit: 2851

mirror insert (24), which is associated with a frame (20) forming a mirror interior (Figure 2), wherein a frame (20) delimits the mirror interior (Figure 2) and which is connected to the mirror surface (28), and the display (14) is secured to said frame (20). The display (14) is provided with an interchangeable item of information (column 1, lines 7-10). Two dimensional portion of the mirror surface (28) is transparent for seeing therethrough and is backed by a display (14), whereby the display (14) is connected to an input device (12). Furthermore, Pastore discloses a device (12) that controls the advertisement or information pattern and a display (14); means for mounting the mirror (column 2, lines 47-48); a mirror wherein the display is a flat screen (Figure 1).

***Allowable Subject Matter***

4. Claims 6-8 and 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach a mirror having a reflective surface, a non-reflective portion provided within the reflective surface as an information provider, comprising in combination with the additionally recited elements, a display employing one of TFT and plasmas technologies; wherein the display includes hologram; wherein behind the mirror surface, at least one loudspeaker is connected to the display; wherein the frame is composed of channel profile members having a width (b) which determines the depth

of the mirror interior; wherein the display is secured to a frame by strut means; wherein the loudspeaker is associated with a perforated region of a frame; including a radio receiver module for the image data; and including an integrated remote operating means for volume control.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kaspar et al. (US Patent Number 5,631,638) discloses a display system being integrated in a mirror glass.

Buckley et al. (US Patent Number 6,106,121) teaches a mirror including a transparent front glass that covers a matrix display, for example an LCD.

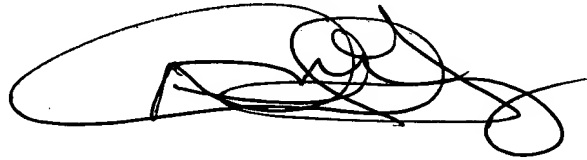
Anders (US Patent Number 6,200,010) shows a display arrangement to display data on a mirror surface.

Lang et al. (US Patent Number 6,642,840 B2) discloses a mirror assembly having a mirror and an imaging device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (571) 272-2114. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Gray', with a large, sweeping loop at the end.

**David Gray**  
**Primary Examiner**

Magda Cruz  
Patent Examiner  
July 23, 2004